

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

MCALLEN DIVISION

UNITED STATES OF AMERICA

V.

AMMENDED CRIMINAL COMPLAINT

Victor Daniel Vasquez-Ramirez PRINCIPAL
A087 994 804 YOB: 1992United States District Court
the United States of Texas
FILEDCase Number:
M-15- -M
0321

FEB 27 2015

Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about February 26, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did, (Track Statutory Language of Offense)

Count 1- 1324(a)(1)(A)(ii), knowing or in reckless disregard of the fact that Manuel Alberto Umanzor-Reyes, citizen and national of the El Salvador, Carlos Alberto Bonilla-Sandoval, citizen and national of Guatemala, and Jesus Ernesto Perez-Reyes, citizen and national of El Salvador; along with fourteen(14) other undocumented aliens for a total of seventeen (17), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Hidalgo, Texas to the point of arrest near Hidalgo, Texas;

Count 2 - 1326, being then and there an alien who had previously been deported from the United States to the United Mexican States in pursuance of law, and thereafter was found near Hidalgo, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) & 1326 (Felony)
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

*Approved
Joseph Leonard*

Yes No

S. S. M.
Signature of Complainant

Sean Enszer Senior Patrol Agent
Printed Name of Complainant

McAllen, Texas
City and State

Peter E. Ormsby
Signature of Judicial Officer

Sworn to before me and subscribed in my presence,

February 27, 2015
DatePeter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-15- -M
 0321

RE: **Victor Daniel Vasquez-Ramirez**

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CONTINUATION:

On February 26, 2015, at approximately 3:00 a.m. United States Border Patrol Agents responded to sensor activity near Jackson Road in Hidalgo, Texas. Border Patrol Agent Velez, dispatched via radio of a group of eighteen subjects cross over levee. Agent Osborne then witnessed the subjects in question travel toward an abandoned structure. At this moment Agents Osborne, Garcia, and Tursi made their way on foot to the abandoned structure and encountered the seventeen of the subjects in question in the abandoned structure. At this moment Agent Tursi noticed one subject fleeing the location and ~~persecuted~~ the fleeing subject, later identified as principal foot guide VASQUEZ-RAMIREZ, Daniel. When Agent Tursi approached the fleeing subject near refuge road and the river drag, the male subject assumed a fighting stance and then struck Agent Tursi multiple times. Agent Tursi was able to overcome the situation and place the subject into custody. A total of eighteen subjects were taken into custody and all subjects were determined to be in the United States illegally without any proper documentation to be or remain in the United States. The seventeen subjects were subsequently transported to the McAllen Border Patrol Station and subject VASQUEZ-Ramirez, Daniel was transported to the Weslaco Station due to the assault on Agent Tursi.

SYNOPSIS OF SWORN STATEMENT OF PRINCIPAL: VASQUEZ-Ramirez, Daniel: Daniel Vasquez-Ramirez the subject was given his rights, understood and acknowledged and was willing to answer any questions without his lawyer present.

VASQUEZ-Ramirez, Daniel, admitting he was a citizen of Mexico born on November 8, 1992 in Reynosa, Tamaulipas, Mexico. VASQUEZ admitted he illegally entered the United States on February 26, 2015 near Hidalgo, Texas. VASQUEZ stated he was previously deported in 2010, but did not remember the exact date. VASQUEZ stated he made arrangements with "Dona Vicky" from Reynosa, Tamaulipas, Mexico and paid her 7,000 Mexican Pesos for his smuggling into the United States. VASQUEZ claimed that there was approximately 17 subjects in the group and two brush guides, whom absconded. VASQUEZ denied being the brush guide for this group; however he admitted to being incarcerated at the Willacy Detention Center for 18 months for illegal re-entry into the United States. VASQUEZ stated he had been apprehended by Border Patrol a total of 49 times; 45 times as a juvenile and 4 times as an adult.

Records checks revealed that VASQUEZ-Ramirez was an undocumented alien formally Deported/Excluded from the United States, for the fourth (4th) time, on August 15, 2014, through Brownsville, Texas. Prior to Deportation/Exclusion, VASQUEZ-Ramirez was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. Records also revealed that LERMA was convicted of 8 USC 1326, Illegal Re-Entry, on November 7, 2013, for which he was sentenced to eighteen (18) months.

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SOUTHERN DISTRICT OF TEXAS
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SYNOPSIS OF SWORN STATEMENT OF MATERIAL WITNESSES:

Material witnesses were advised and understood their Miranda Rights and also were willing to provide a sworn statement without the presence of an attorney.

MATERIAL WITNESS #1, UMANZOR-REYES, Manuel Alberto

UMANZOR-REYES, Manuel Alberto stated a citizen of El Salvador stated that he paid \$8,000.00 to be smuggled to Houston, Texas. On February 26, 2015 UMANZOR and 17 other subjects made entry into the United States; all of which were guided by a subject known as "EL GUIA". UMANZOR stated that upon entry into the United States that "EL GUIA" told him and the other aliens to get in a line and follow the person in front. UMANZOR stated that the group walked for approximately two hours and were taken to an abandoned house that near a canal where they were apprehended by Border Patrol Agents. Furthermore, UMANZOR was asked if during the two hour walk if he saw the face of "El Guia" to which he replied, when the group arrived at the abandoned house and "EL GUIA" was providing the group with instructions he did see the face of "EL GUIA". UMANZOR identified the brush guide (EL GUIA) as VASQUEZ-Ramirez, Daniel in a CBP Photo line-up.

MATERIAL WITNESS #2, BONILLA-SANDOVAL, Carlos Alberto:

BONILLA-Sandoval, a citizen of Guatemala, stated that he agreed on a \$4000 payment to be smuggled to Houston, Texas. BONILLA-Sandoval stated that he made his illegal entry into the United States with a group of approximately 18 subjects and 3 brush guides. BONILLA-Sandoval stated that once in the U.S. side one brush guide told the group to follow him north through the brush. BONILLA-Sandoval stated that after walking for approximately 15 minutes, the brush guide met with an additional brush guide that was waiting in the brush. BONILLA-Sandoval stated that the initial brush guide went back south and the new brush guide told the group that he was going to guide the group north and to the pickup location. BONILLA-Sandoval stated that the guide gave the group instructions and hand signals for approximately 2 hours. BONILLA-Sandoval stated that once near an abandoned house, the brush guide told the group that he was done guiding them and that he was going to take off. BONILLA-Sandoval stated that the group tried to pay the brush guide an additional \$100 USD so he can take them further north. BONILLA-Sandoval stated that the brush guide told the group that he had already done his job and suddenly yelled the group to run. BONILLA-Sandoval stated that the brush guide took off running and the group was subsequently apprehended by Border Patrol. BONILLA-Sandoval was able to identify the brush guide as VASQUEZ-Ramirez, Daniel in a CBP Photo line-up. BONILLA-Sandoval also stated that he was able to see that VASQUEZ-Ramirez was using a cell phone.

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MATERAIL WITNESS #3, PEREZ-REYES, Jesus Ernesto:

PEREZ- Reyes, Jesus Ernesto, a citizen El Salvador, stated he crossed the Rio Grande River near Reynosa, Tamaulipas, Mexico by raft. PEREZ-Reyes stated the guide identified himself to the entire group before crossing the river. PEREZ-Reyes stated the guide did not provide any life vests nor did he know how to swim. PEREZ-Reyes stated once they arrived on the U.S. side the guide specifically told the group to follow him and remain in a straight line. PEREZ-Reyes stated the guide also told the group to stay quiet in order not to be detected by immigration officials. PEREZ-Reyes stated once they arrived near McAllen, Texas the guide told the group to hide in an abandoned house near some pine trees. PEREZ-Reyes was able to positively identify the foot guide through a DHS Photo Line-up as Daniel VASQUEZ-Ramirez.